

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND/ODESSA DIVISION

CARDWARE INC.,
Plaintiff,

v.

GOOGLE LLC,
Defendant.

MO:24-CV-00278-DC



ORDER ADOPTING REPORT AND RECOMMENDATION

BEFORE THE COURT is the report and recommendation from United States Magistrate Judge Derek T. Gilliland (Doc. 97) concerning Defendant Google LLC's Motion to Dismiss for Failure to State a Claim (Doc. 32). Pursuant to 28 U.S.C. § 636(b) and Rule 1(d) of Appendix C of the Local Rules of the United States District Court for the Western District of Texas, Magistrate Judge Gilliland issued his report and recommendation on August 15, 2025 (Doc. 97). As of the date of this Order, neither party has filed objections.

Pursuant to 28 U.S.C. § 636(b), a party may serve and file specific, written objections to a magistrate judge's proposed findings and recommendations within fourteen days after being served with a copy and, in doing so, secure *de novo* review by the district court. When no objections are timely filed, a district court reviews the magistrate's report and recommendation for clear error. *See* Fed. R. Civ. P. 72 advisory committee's note ("When no timely objection is filed, the [district] court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation."). Because no party has filed timely objections, the Court reviews the Report and Recommendation for clear error, finding none.

The Report and Recommendation is therefore **ADOPTED**. Defendants' Motion to Dismiss (Doc. 32) is **DENIED**.

It is so **ORDERED**.

SIGNED this 3rd day of September, 2025.



DAVID COUNTS
UNITED STATES DISTRICT JUDGE